

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): SHEPHERD, James et al. Examiner: ROBERTS, Jessica M.  
Serial No.: 10/817,436 Group Art Unit: 2621  
Filed: April 5, 2004 Confirmation No. 1291  
Title: APPARATUS AND PROCESS FOR RE-TIMING VIDEO CUTS

---

MAIL STOP APPEAL BRIEF - PATENTS  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

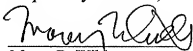
**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

S I R:

In the Notification of Non-compliant Appeal Brief mailed August 26, 2009 by the United States Patent and Trademark Office in connection with the above-identified Application, a response to which is due September 26, 2009, the USPTO advised that the Heading 10 related proceeding appendix is missing from the Appeal Brief filed on July 23 2009, and that only this portion of the Appeal Brief, not the entire Appeal Brief, need be submitted.

Accordingly, attached is APPENDIX III: RELATED PROCEEDINGS.

Respectfully submitted,



Morey B. Wildes  
Attorney/Agent for Applicant(s)  
Registration No. 36,968

Dated: September 14, 2009

**Pearl Cohen Zedek Latzer, LLP**  
1500 Broadway, 12th Floor  
New York, New York, 10036  
Tel: (646) 878-0800  
Fax: (646) 878-0801

APPLICANT(S): SHEPHERD, James et al.  
SERIAL NO.: 10/817,436  
FILED: April 5, 2004

APPENDIX III: RELATED PROCEEDINGS

None